

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRYAN PRICHARD,

Plaintiff,

v.

RICK SMITH,

Defendant.

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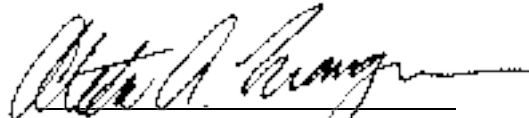
**Case No. 3:05-0748
Judge Trauger**

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion for Summary Judgment filed by defendant Rick Smith, (Docket No. 26), is **DENIED**.

It is so ordered.

Enter this 23rd day of October 2006.



ALETA A. TRAUGER
United States District Judge